

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED
AUG 27 2009
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN BROSNAN,

Plaintiff(s),

No. C 09-02174 PJH

v.

ORDER TO SHOW CAUSE

ANTONIO CASTELLANOS,

Defendant(s).

Plaintiff in the above-entitled matter having failed to appear at the case management conference on August 27, 2009, and having failed to file a case management conference statement as ordered by the court in a scheduling order filed on May 18, 2009,


THE COURT hereby issues an ORDER TO SHOW CAUSE ("OSC") why plaintiff's claims should not be dismissed for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

The hearing on the order to show cause will be held on September 10, 2009. If plaintiff fails to appear, the case shall be dismissed for failure to prosecute.

The court further notes that defendant Castellanos did not appear at the conference. However, the docket reflects a proof of service of the complaint and summons only on defendant Allstate, which has been dismissed from this case. Plaintiff is advised that the deadline for filing the proof of service of the summons and complaint on defendant Castellanos is September 18, 2009, or the complaint will be dismissed for failure to serve.

IT IS SO ORDERED.

Dated: August 27, 2009


PHYLLIS J. HAMILTON
United States District Judge